

Message Text

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ACTION IO-13

INFO OCT-01 ISO-00 AF-08 ARA-06 EA-07 EUR-12 NEA-10
EB-08 AID-05 DHA-02 ACDA-07 TRSE-00 CIAE-00
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FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC IMMEDIATE 3089

INFO USMISSION GENEVA

LIMITED OFFICIAL USE SECTION 1 OF 2 USUN 1041

E.O. 11652: N/A

TAGS: SHUM, SOCI, SGEN

SUBJECT: 62D ECOSOC--PREPARATION FOR HUMAN RIGHTS ITEMS

REF: (A) STATE 76062 (B) STATE 70942 (C) DATAFAX 3/31
(BAKER/USUN)

1. THE MISSION HAS THE FOLLOWING SUGGESTIONS FOR TACTICS
TO BE FOLLOWED FOR APPROXIMATELY THE NEXT 18 MONTHS IN
IMPLEMENTING THE PROPOSALS PUT FORWARD BY THE PRESIDENT AND
FOR DEFENDING 1503 PROCEDURES.

A. PROPOSAL FOR ADDITIONAL SESSION. OUR PREFERENCE IS TO
PROCEED, AS SUGGESTED BY DEPT REF (A), AT THE CURRENT
SESSION OF ECOSOC WITH THE INITIATIVE PROPOSING THAT A
SECOND MEETING OF THE HUMAN RIGHTS COMMISSION (HRC) BE
HELD IN NY. WE AGREE THAT THE MISSION SHOULD PROCEED
WITH EXPLORATORY TALKS WITH WEO MEMBERS WITH A VIEW TO
TABLING A RESOLUTION POSSIBLY AT THIS SESSION OR AT THE
63D ECOSOC, IF THERE IS SUFFICIENT SUPPORT. THE MISSION IS
NOT CONVINCED THAT THERE IS A CONTINUING NEED FOR TWO YEARLY
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SESSIONS OF THE HRC, AND WE BELIEVE WE SHOULD ALSO DISCUSS THE
IDEA OF HAVING A SINGLE SPECIAL SESSION OF THE HRC IN
NY FOR A GENERAL DISCUSSION OF THE PROGRAM AND ORGANI-
ZATION OF THE AGENDA AND TO CLEAR UP THE CURRENT BACK-
LOG OF WORK.

OUR FINAL DECISION ON WHETHER TO PROCEED WITH THIS INITIATIVE

AT THIS SESSION WOULD ALSO DEPEND ON THE SITUATION WITH RESPECT TO 1503 AND WHETHER OR NOT WE WILL BE REQUIRED TO TABLE A DEFENSIVE RESOLUTION WHICH WOULD ENGAGE A GREAT DEAL OF TIME AND ATTENTION.

B. ESTABLISHMENT OF THE POST OF HIGH COMMISSIONER FOR HUMAN RIGHTS (HCHR). WE WOULD RECOMMEND STRONGLY AGAINST MAKING ANY PROPOSAL AT THIS ECOSOC WITH RESPECT TO THE CREATION OF THE HCHR. PROPONENTS OF THIS IDEA RECEIVED A SETBACK AT THE 26TH GA IN 1971 WHEN AFTER A YEAR OF CONSULTATIONS AND LOBBYING THEY WERE UNABLE TO EXPAND THE BASE OF SUPPORT. WE THEREFORE BELIEVE THAT A GREAT DEAL OF PREPARATORY WORK SHOULD BE DONE BEFORE WE MAKE ANY ATTEMPT TO TABLE A RESOLUTION ON THE SUBJECT. WE WOULD, HOWEVER, RECOMMEND THAT WE USE THIS SESSION OF ECOSOC FOR CONSULTATION AND SOUNDING OUT OF OPINION FOR A POSSIBLE INITIATIVE AT THE 32D GA THIS FALL.

C. MOVEMENT OF THE HUMAN RIGHTS DIVISION BACK TO NY. THE PROPOSAL TO RETURN THE HUMAN RIGHTS DIVISION BACK TO NY IS THE MOST COMPLEX AND SHOULD IN OUR VIEW BE UNDERTAKEN ONLY AFTER WE HAVE SUCCEEDED OR EXPERIMENTED WITH THE OTHER TWO PROPOSALS. AS THE MOVE WILL UNAVOIDABLY BE CONNECTED WITH OTHER CONTEMPLATED MOVES INVOLVING GENEVA AND VIENNA, WE WILL HAVE TO CONSULT INITIALLY WITH THE SWISS, AUSTRIANS AND THE SYG. WE WOULD BE IN A POSITION TO SOUND OUT DELEGATION OPINION DURING THE 32D GA WITH A VIEW TO INTRODUCING A RESOLUTION DURING ONE OF THE 1978 SESSIONS OF THE ECOSOC. WE BELIEVE THAT LIMITED OFFICIAL USE

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AN IMPORTANT FACTOR IN THE SUCCESS OF THIS PROPOSAL WILL BE THE GENERAL ATTITUDE TOWARDS THE US POSTURE ON MAJOR HUMAN RIGHTS ISSUES. IN THE EVENT WE HAVE SOME MEASURE OF SUCCESS IN RETURNING TO PARTICIPATION IN THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION AND WITH RESPECT TO POLICY IN SOUTHERN AFRICA, WE WILL BE IN A FAR BETTER POSITION TO WIN SUPPORT FOR THE MOVE.

D. 1503 PROCEDURES. IN RESPONSE TO THE DEPT'S REQUEST (REF (B)) FOR COMMENTS ON TACTICS TO BE FOLLOWED TO DEFEND 1503 PROCEDURES AGAINST POSSIBLE ATTACK AT THE 62D ECOSOC, MISSION HAS CONSULTED AS REQUESTED WITH UK AND FRG DELEGATIONS. OUR CONCLUSION BASED ON THESE CONSULTATIONS IS THAT ALTHOUGH WE WOULD BE PREPARED TO DEFEND 1503 PROCEDURES IF NECESSARY, WE WOULD NOT UNDERTAKE ANY INITIATIVES AT ECOSOC DESIGNED TO IMPROVE THE 1503 PROCEDURES. BOTH THE FRG AND UK STATED, AND MISSION AGREES, THAT THE BEST PLACE IN WHICH TO SEEK IMPROVEMENT

OF 1503 IS IN THE HRC ITSELF AND NOT IN ECOSOC OR THE GA.
WE WOULD PREFER TO PREPARE FOR AN INITIATIVE AT THE 1978
SESSION OF THE HRC. WE SHOULD, HOWEVER, BE PREPARED TO
DEFEND THE PROCEDURES IF NECESSARY AND HAVE A DRAFT READY
TO TABLE.

OUR VIEW THAT IT IS PREFERABLE TO DISCUSS 1503
INITIALLY IN THE HRC IS BASED ON THE NATURE OF THE
PROCEDURES THEMSELVES. ALTHOUGH THE 1503 RESOLUTION
LOOKS RELATIVELY SIMPLE ON PAPER, ONLY THOSE WHO HAVE
PARTICIPATED IN THE CLOSED SESSIONS OF THE HRC HAVE A
FEEL FOR THE PROBLEMS AND WEAK POINTS INHERENT IN THE
PROCEDURES. BOTH THE UK AND FRG FEEL STRONGLY THAT
DISCUSSION OF 1503 BY MEMBERS OF ECOSOC OR THE GA,
THE MAJORITY OF WHOM HAVE LITTLE OR NO UNDERSTANDING
OF THE SUBJECT, WOULD LEAD TO UNFAVORABLE RESULTS.
THE DEPT WILL RECALL THAT WHEN 1503 WAS ADOPTED BY
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ECOSOC IN 1970, THERE WERE ONLY 27 MEMBERS OF THE
COUNCIL. THE RESOLUTION HAD BEEN DEBATED AT GREAT
LENGTH AT THE 1969 SESSION OF THE HRC AND HAD ALSO
BEEN CIRCULATED TO ALL MEMBER GOVERNMENTS FOR COMMENTS
AND OBSERVATIONS IN 1969. IN SPITE OF THIS INTENSIVE
PREPARATION THE RESOLUTION WAS ADOPTED BY A VOTE OF
14-7-6. THE PERCENTAGE OF SUPPORTERS OF 1503 MAY
HAVE INCREASED SOMEWHAT SINCE THEN, BUT IT IS STILL NOT
PREDICTABLE. THE SUPPORT GAINED FOR 1503 IN THE SEVEN
YEARS SINCE ITS ADOPTION IS BASED ON SOME WIDELY DIF-
FERENT PERCEPTIONS OF THE VALUE OF 1503. SOME COUNTRIES
HAVE PERCEIVED OF THE PROCEDURES AS A HANDY MEANS OF
BURYING ISSUES WHICH MIGHT OTHERWISE HAVE BEEN DIS-
CUSSED IN PUBLIC, WHILE A SMALL BAND OF OTHERS HAVE
MADE A SINCERE EFFORT TO DEVELOP THE 1503 PROCEDURES
INTO AN HONEST MECHANISM FOR INVESTIGATION.

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ACTION IO-13

INFO OCT-01 ISO-00 AF-08 ARA-06 EA-07 EUR-12 NEA-10

EB-08 AID-05 DHA-02 ACDA-07 TRSE-00 CIAE-00
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NEITHER THE FRG NOR THE UK BELIEVE THERE WILL BE AN ATTEMPT TO WEAKEN OR ABOLISH THE 1503 PROCEDURES AT THIS SESSION OF ECOSOC. THERE WERE RUMORS PRIOR TO THE LAST SESSION OF THE HRC THAT THE SOVIETS IN PARTICULAR WERE EAGER TO UNDERTAKE A REVIEW OF THE 1530 PROCEDURES AND TO SUGGEST THAT THEY BE ABANDONED ALL TOGETHER IN VIEW OF THE CREATION OF THE HUMAN RIGHTS COMITE FOLLOWING ENTRY INTO FORCE OF THE COVENANT ON CIVIL AND POLITICAL RIGHTS. AT THE HRC BOTH THE UK AND FRG DELEGATIONS LET IT BE WIDELY KNOWN THAT THEY WERE READY TO TABLE RESOLUTIONS IF NECESSARY TO DEFEND 1503. WE RECOMMEND THE SAME PROCEDURE FOR THIS ECOSOC. BOTH THE FRG AND THE UK AGREED THAT THE THREE POINTS MENTIONED IN PARA 2 REF (B) WOULD BE VALID TO INCLUDE IN A RESOLUTION TO STRENGTHEN 1503. WE WILL SEEK VIEWS OF OTHER WEOS IN ACCORDANCE WITH INSTRUCTIONS REF (A), BUT FAVOR TAKING THE POSITION THAT WE WOULD NOT TABLE A RESOLUTION UNLESS NECESSARY. CONSULTATIONS ON A TEXT TO STRENGTHEN 1503 WOULD THUS BE LEADING UP TO A RESOLUTION WHICH WOULD BE TABLED AT THE 1978 SESSION OF THE HRC.

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WE SENSE THAT SOME OF THE ANIMOSITY TOWARDS THE 1503 PROCEDURES IS BEING TRANSLATED INTO PRESSURES ON THE NGOS RATHER THAN ON THE PROCEDURES. THE SOVIETS CONTINUE TO THREATEN TO TAKE ACTION AT THE COMING SESSION (APRIL 7-8) OF THE NGO COMITE TO SECURE ADOPTION OF AN NGO REVIEW QUESTIONNAIRE WHICH WOULD ELICIT INFORMATION ON THE EXTENT TO WHICH NGOS HAVE SUPPORTED ALL GA RESOLUTIONS, THUS SEEKING AN EXCUSE TO EXCLUDE ORGANIZATIONS WHICH OPPOSED RESOLUTION 3379 (XXX) EQUATING ZIONISM WITH RACISM. IN ADDITION, AS WAS PREVIOUSLY REPORTED DURING THE SESSION OF THE HRC, SOME LATIN STATES ARE DISPLEASED AT DIRECT CRITICISM BY NGOS. WE ARE TRANSMITTING SEPTEL A COPY OF A COM-

PLAINT FILED BY ARGENTINA WITH THE SYG SEEKING CANCELLATION OF THE STATUS OF AN NGO WHICH CRITICIZED ARGENTINA AT THE LAST SESSION OF THE HRC.

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